

BEFORE THE MERIT EMPLOYEE RELATIONS BOARD
OF THE STATE OF DELAWARE

Willie D. Marshall,)
Grievant)
v.)
Administrative Office of the)
Courts)
State of Delaware,)
Agency)

Docket Nos. 05-11-344 & 05-12-345

ORDER OF DISMISSAL

Before Brenda C. Phillips, Chairperson, John F. Schmutz, Paul R. Houck, Bernice M. Edwards and Joseph D. Dillon, Board Members, constituting a quorum of the Board pursuant to 29 Del. C. Section 5908(a).

And now, this 26th day of April, 2006, it appears to the Board that the grievant, Willie D. Marshall, despite repeated requests from the Board's assistant for him to contact the Board's office and has failed to do so (see attached correspondence), has apparently abandoned his appeal to the Board and, therefore, should be dismissed. The Administrative Office of the Courts, through their representative, Kevin Slattery, does not object to this course of action

Therefore, IT IS ORDERED that the appeal is DISMISSED as it has been abandoned by the grievant.


Brenda Phillips, Chairperson


John F. Schmutz, Member


Paul R. Houck, Member


Joseph D. Dillon, Member


Bernice M. Edwards

Original: File
Copies: Grievant
Agency
Agency's Representative
Board
State personnel Office (2 copies)

DATE MAILED

April 28, 2006

COPY

BRENDA C. PHILLIPS, CHAIRPERSON
JOHN F. SCHMUTZ, BOARD MEMBER
PAUL R. HOUCK, BOARD MEMBER
BERNICE M. EDWARDS, BOARD MEMBER
JOSEPH D. DILLON, BOARD MEMBER

PHONE: (302) 739-6772
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STATE OF DELAWARE
MERIT EMPLOYEE RELATIONS BOARD
MARGARET M. O'NEILL BUILDING, SUITE 213
410 FEDERAL STREET, BOX 4
DOVER, DELAWARE 19901

April 3, 2006

Mr. Willie D. Marshall
178 Brookdale Road
Camden, DE 19934

Re: Marshall v. Family Court
Docket No. 05-11-344 and
Docket No. 05-12-345

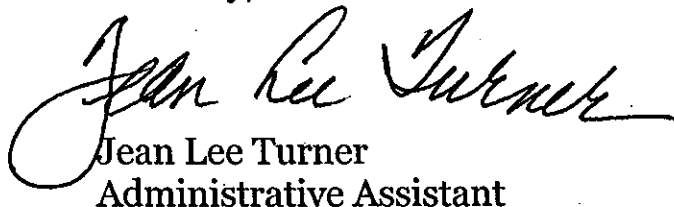
Dear Mr. Marshall:

On February 7th and on March 21st I wrote to you about withdrawing the two appeals you filed with the MERB since you prevailed at your 3rd Step Hearing and had been returned to your job at Family Court. To date I have not had the courtesy of a reply.

Since the Board has many appeals that are currently pending and waiting to be scheduled, I need to hear from you, in writing, on or by April 10, 2006 or I will recommend that the Board dismiss your appeal as you have apparently abandoned the pursuit of it. A dismissal order will be signed and executed on April 26th which had been the date reserved for your hearing and another case will be scheduled for that day.

If you have any questions about these procedures, please do not hesitate to call me. I hope to hear from you before April 10th.

Sincerely,


Jean Lee Turner
Administrative Assistant

jlt

cc: Kevin Slattery, Deputy Attorney General, Counsel
Allison E. Reardon, Deputy Attorney General, Counsel to MERB

BRENDA C. PHILLIPS, CHAIRPERSON
JOHN F. SCHMUTZ, BOARD MEMBER
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STATE OF DELAWARE
MERIT EMPLOYEE RELATIONS BOARD
MARGARET M. O'NEILL BUILDING, SUITE 213
410 FEDERAL STREET, BOX 4
DOVER, DELAWARE 19901

March 21, 2006

Mr. Willie D. Marshall
178 Brookdale Road
Camden, DE 19934

Re: Marshall v. Family Court
Docket No. 05-11-344 and
Docket No. 05-12-345

Dear Mr. Marshall:

On February 7th I wrote to you about withdrawing the two appeals you filed with the MERB since you had prevailed at your 3rd Step Hearing and had been returned to your position at Family Court. To date I have not had the courtesy of a reply.

Since the Board has many appeals that are currently pending and waiting to be scheduled, I need to hear from you, in writing, before I can dismiss your settled appeals and schedule these other grievances. Please send me a short letter or e-mail so that I may advise the Board's chair and counsel.

If you have any questions, please do not hesitate to call me. I hope to hear from you later this week.

Sincerely,

A handwritten signature in cursive script that reads "Jean Lee Turner".

Jean Lee Turner
Administrative Assistant

jlt

cc: Kevin Slattery, Deputy Attorney General, Counsel
Allison E. Reardon, Deputy Attorney General, Counsel to MERB

BRENDA C. PHILLIPS, CHAIRPERSON
JOHN F. SCHMUTZ, BOARD MEMBER
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STATE OF DELAWARE
MERIT EMPLOYEE RELATIONS BOARD
MARGARET M. O'NEILL BUILDING, SUITE 213
410 FEDERAL STREET, BOX 4
DOVER, DELAWARE 19901

February 7, 2006

Mr. Willie D. Marshall
178 Brookdale Road
Camden, DE 19934

Re: Marshall v. Family Court
Docket No. 05-11-344 and
Docket No. 05-12-345


Dear Mr. Marshall:

The Board received news late last week that you had prevailed at your 3rd Step Hearing and were returned to your position. Congratulations, I'm sure that you were very pleased at this outcome of your appeal.

As you have won your appeal I am assuming you will want to withdraw the above-referenced appeals that are currently pending before the MERB. However, I need to hear from you, in writing, before I can dismiss them from the Board's docket. Please send me a short letter or e-mail so that I may advise the Board's chair and counsel.

If you have any questions, please do not hesitate to call me.

Sincerely,


Jean Lee Turner
Administrative Assistant

jlt

cc: Kevin Slattery, Deputy Attorney General, Counsel
Allison E. Reardon, Deputy Attorney General, Counsel to MERB